



In the Matter of Chyenhall Moor, Paul,
Penwith D

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 161 in the Register of Common Land maintained by the Cornwall County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Mr F G Reynolds claimed to be the freehold owner of part of the land in question ("the Unit land"): no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Truro on 29 June 1982.

At the hearing Mr Reynolds appeared in person and there also attended two of the applicants for rights, Mr J H Seaman and Mr R J Tonkin, neither of whom claims ownership.

By a Conveyance dated 14 October 1957 a farm and lands known as Tresvenack were conveyed to Mr Reynolds by R J H Olds and Beatrice H Woolcock. The property conveyed included that part of the Unit land lying on the west of the red line AB on the Register Map.

On this evidence I am satisfied that the claimant is the owner of this part of the Unit land, and I shall accordingly direct the Cornwall County Council, as registration authority, to register him as its owner under section 8(2) of the Act of 1965. In the absence of evidence as to the remainder of the Unit land, I am not satisfied as to its ownership and it will therefore remain subject to protection under section 9 of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated

17 August

1982

L J Morris Smith

Commons Commissioner